

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

SATNAM K. PANESAR, SP 2014-BR-027 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 4924 Americana Dr., Annandale, 22003, on approx. 17,995 sq. ft. of land zoned R-3. Braddock District. Tax Map 70-4 ((7)) 7. (Decision deferred from 6/18/14 and 7/9/14.) Mr. Beard moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on July 16, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is the applicant.
2. The present zoning is R-3.
3. The area of the lot is 17,995 square feet.
4. This was deferred for decision only. There had been a problem about an egress, which violation has been cleared.
5. There is a staff recommendation for approval.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Satnam K. Panesar, and is not transferable without further action of the Board, and is for the location indicated on the application, 4924 Americana Drive, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat titled, "House Location Survey, Lot 7, Being a Resubdivision of Lot 5 and Outlot T, Section 6, Ravensworth Grove," prepared by Leo J. Bariteau, Land Surveyor, dated January 18, 1978, as revised by Satnam Panesar, through December 17, 2013, and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 6:00 a.m. to 8:00 p.m., Monday through Sunday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. The maximum number of assistants for the home child care shall be two.
8. Pick-up and drop-off of children shall take place in the driveway.
9. A minimum of four parking spaces shall be provided on the subject parcel, within areas of existing paving.
10. There shall be no signage associated with the home child care facility.
11. All applicable permits and inspections shall be obtained prior to establishment of the use, to be demonstrated to the satisfaction of the Zoning Administration Division, including any electrical or plumbing inspections as may be required.
12. A point of egress, which meets emergency escape and rescue openings requirements of the 2009 Virginia Residential Building Code, shall be installed in the sleeping room, as labeled as being 14.0 feet by 11.0 feet in size on the floor plan in Attachment 1. **This egress shall be installed within 90 days of the approval of the special permit.**

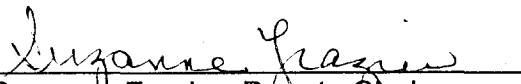
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must

specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Ms. Theodore seconded the motion, which carried by a vote of 5-0. Mr. Byers and Mr. Smith were absent from the meeting.

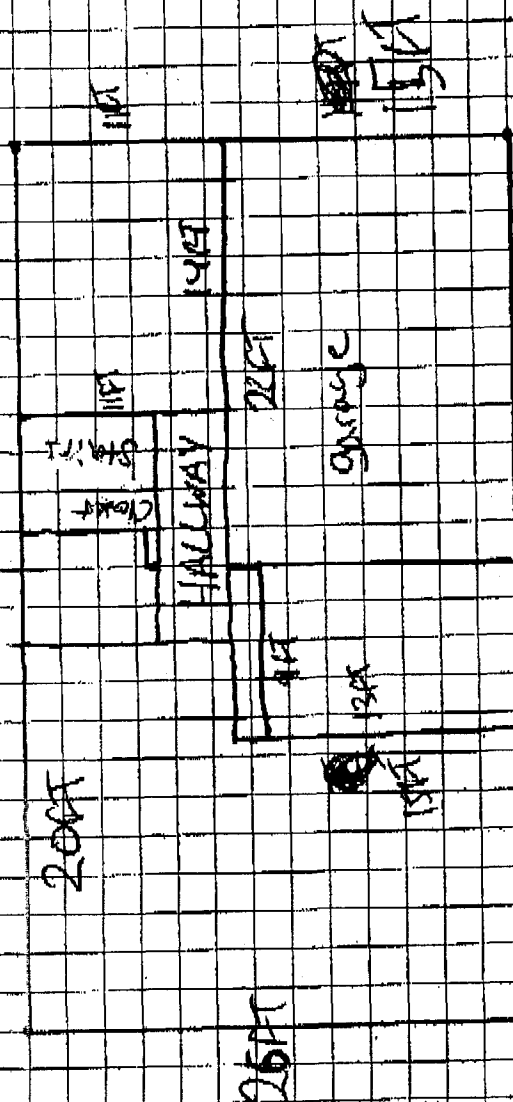
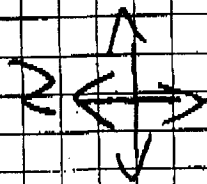
A Copy Teste:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals

ATTACHMENT 1

Miss Lauren M Bowers -

□ = 2 FT



Lauren Bowers